

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:
RESIDENTITAL CAPITAL, LLC, et al.,

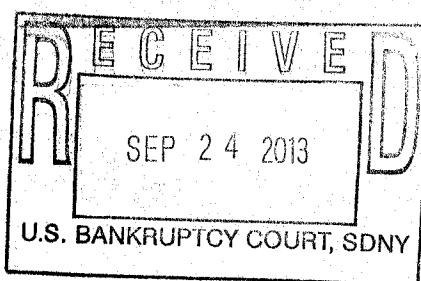
CHAPTER 11
CASE NO. 12-12020 (MG)

Debtor

**MOTION FOR REHEARING ON CLAIM OBJECTION TO THE
RECLASSIFICATION OF CLAIM FROM SECURED TO UNSECURED**

Anthony L. Davide, pro se, creditor, files this motion for rehearing on the order entered September 12, 2013 and states as reason the following:

- 1) Davide was on the court call at 9:45 am and checked in with the operator.
- 2) Davide was on the line when the proceedings began at 10:00 am.
- 3) Shortly thereafter Davide was unable to stay on the line due to an unforeseen circumstance that required his immediate attention and thus disconnected from the call.
- 4) Davide was prepared to argue his position and has spent considerable time getting prepared.
- 5) This hearing was originally scheduled for the last week in August of 2013 and at the request of Debtors counsel, Davide agreed to postpone the hearing to accommodate a busy hearing schedule for the following day in the case.
- 6) Davide has been diligent in all his dealings with this court and had never sought any postponement or delay and to the contrary accommodated this courts schedule by agreeing to reschedule the previous hearing.



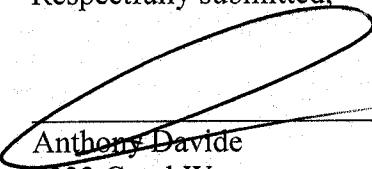
- 7) Davide consulted debtors counsel to ask if they would object to the rehearing request and was told that they would reserve their rights accordingly in this matter.
- 8) Davide feels that no party will be prejudiced by this request.
- 9) Davide feels strongly that his claim should be secured and belongs in the proper class.

Davide prays this court will grant a rehearing on the claim objection and set the matter down at the courts convenience.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed on September 20, 2013 to the Honorable Martin Glenn, One Bowling Green, New York, New York 10004, Courtroom 501; Morrison & Forester LLP, 1290 Avenue of the Americas, New York, New York 10104, Attn Gary Less Esq., Norman S. Rosenbaum, Esq. and Jordan Wishnew, Esq. and Kramer Levin Naftalis & Frankel LLP, 1117 Avenue of the Americas, New York, New York, 10036, Attn Kenneth H. Eckstein Esq. and Douglas H. Mannal, Esq.,

Respectfully submitted,


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